

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**HAROLD KELLY MURPHY,**

**Plaintiff,**

**v.**

**SOUTHERN ENERGY HOMES, INC.**

**Defendant.**

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**Case No.: 2:06-cv-618-MEF**

**REPORT OF PARTIES' PLANNING MEETING**

1. Pursuant to Fed.R.Civ.P. 26(f), the following is the parties proposed Report of Parties' Planning Meeting form:

Lance Gould and Gibson Vance on behalf of plaintiff, Harold Kelly Murphy.

Robert D. Segall, Lee H. Copeland and Mitchel H. Boles on behalf of defendant, Southern Energy Homes, Inc.

2. **Pre-Discovery Disclosures.** The parties will exchange the information required by Local Rule 26.1(a)(1) on or before August 29, 2006.

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

- a. All discovery commenced in time to be completed by April 20, 2007.
- b. Maximum of forty (40) interrogatories by each party to each party.
- c. Maximum of sixty (60) requests for admission by each party to each party.
- d. Maximum of fifty (50) requests for production of document by each party to each party.
- e. Maximum of ten (10) depositions by each plaintiff to defendant and ten (10) depositions by defendant to each plaintiff. This number does not include depositions of medical doctors nor experts.

- f. Reports from retained experts under Rule 26(a)(2) due:  
  
from plaintiff by November 15, 2006.  
from defendant by January 19, 2007.  
defendant shall complete its inspection of the manufactured home by  
December 29, 2006.
- g. Supplementation under Rule 26(e) due reasonably upon knowledge of  
additional information.

4. **Other Items.**

- a. Plaintiffs should be allowed until November 1, 2006 to join additional parties  
and to amend the pleadings.
- b. Defendant should be allowed until February 1, 2007 to join additional parties  
and to amend the pleadings.
- c. All potentially dispositive motions should be filed no later than ninety (90)  
days prior to the pretrial date – May 21, 2007.
- d. Settlement cannot be realistically evaluated prior to the completion of  
preliminary discovery.
- e. The parties request a pretrial conference on or before August 20, 2007.
- f. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due  
  
from plaintiff by August 8, 2007.  
from defendant by August 21, 2007.
- g. Parties should have ten (10) days after service of final lists of witnesses and  
exhibits to list objections under Rule 26(a)(3).
- h. The case should be ready for trial by this Court's September 17, 2007 trial  
term and at this time is expected to take approximately 5-7 days.

Respectfully submitted,

/s Mitchel H. Boles

Robert D. Segall (ASB-7354-E68R)

Lee H. Copeland (ASB-3461-O72L)

Mitchel H. Boles (ASB-0813-S69M)

*Attorney for Southern Energy Homes, Inc.*

**OF COUNSEL:**

Copeland, Franco, Screws & Gill, P.A.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of August, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

- **Charles Lance Gould**  
lance.gould@beasleyallen.com holly.stroh@beasleyallen.com
- **Carter Gibson Vance**  
gibson.vance@beasleyallen.com heidi.bowers@beasleyallen.com

/s Mitchel H. Boles

Of Counsel